



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/765,076	01/28/2004	Hsu-Ping Tseng	025789-00006	9811
7590 11/24/2008 ARENT FOX KINTNER PLOTKIN & KAHN, PLLC Suite 400 1050 Connecticut Avenue, N.W. Washington, DC 20036-5339				
EXAMINER				
CHIEN, LUCY P				
ART UNIT		PAPER NUMBER		
2871				
MAIL DATE		DELIVERY MODE		
11/24/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/765,076

Applicant(s)

TSENG ET AL.

Examiner

LUCY P. CHIEN

Art Unit

2871

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3, 6, 7 and 14-29 is/are pending in the application.
- 4a) Of the above claim(s) 17 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 6, 7, 14-16, 18-25 and 27-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Election/Restrictions

Applicant's election without traverse of Species II in the reply filed on 8/13/2008 is acknowledged.

Response to Arguments

Applicant's arguments with respect to claim 1,3-7 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1,3,6,7,14-16,18,19 are rejected under 35 U.S.C. 102(b) as being anticipated by Matsuda et al (US 5361163).

Regarding Claim 1,3,6,7,15,16,

Matsuda et al discloses a liquid crystal projector (Fig. 22 to Fig. 30) a substrate (511); a least one protrusion (412,512) disposed on a surface of the substrate (511); and a light reflective layer (Column 41, rows 49-53) also element (421) in Fig. 22)) deposited adjacent to the protrusion (512), wherein the protrusion (arcuate) amplifies light reflection intensity when light is reflected off the light reflective layer (421 and column 41, rows 39-41 where ((552,553,554,555) are base material of light diffusing and reflecting type, therefore is considered a reflective layer). A light shielding layer (404, column 29,rows 9,10) on a surface of the light reflective layer (421) opposite the at

Art Unit: 2871

least one protrusion (412). wherein the light reflective layer comprises programmable code information ((531)register mark, column 36 rows 60-65). The register mark (which is a position sensing code) which is the programmable code information is simultaneously printed with the light absorbing stripes (530).

Regarding Claim 14

Matsuda et al discloses (Fig. 22 to Fig. 30) wherein the light reflective layer (421 and column 41, rows 39-41 where (552,553,554,555 are base material of light diffusing and reflecting type, therefore is considered a reflective layer) is disposed between the protrusion (412,512) and the light shielding layer (404, column 29,rows 9,10), such that the programmable code information (531) is located between the protrusions (412) and the light shielding layer (404) (column 36 rows 60-65).

Regarding Claim 18

Matsuda et al discloses (Fig. 22 to Fig. 30) wherein the substrate and the protrusion (lens) comprise different transparent material.

Regarding Claim 19

Matsuda et al discloses (Fig. 22 to Fig. 30) wherein the light reflective layer comprises aluminum (column 5, rows 42-56).

Claim 20-25,27-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuda et al (US 5361163) in view of Moon (US 6661485).

Regarding Claim 20.

Matsuda et al discloses everything as disclosed above.

Matsuda et al does not disclose a plurality of color filters, wherein the plurality of color filters are disposed between the light shielding layer and between the light reflective layer.

Moon discloses (fig. 5) the plurality of color filter (132) is disposed between the light shielding layer (black matrix) (134) and a light reflective layer (it is known in the art that the pixel electrode can be reflective 138).

It would have been obvious to one of ordinary skill in the art to modify Matsuda et al to include a color filter taught by Moon to provide a display that display's color light.

Regarding Claim 21.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses wherein the programmable code information (register mark) is a position sensing code.

Regarding Claim 22.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses the plurality of protrusions (412,512) are arcuate protrusions.

Regarding Claim 23.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses wherein the light reflective layer (421 and Column 41, rows 49-53) is located between the plurality of protrusions (412) and the light shielding layer (404), and thereby the programmable code information (register mark, 531) is located between the plurality of protrusions (412) and the light shielding layer (404).

Regarding Claim 24,25.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses wherein the plurality of protrusions (412,512) are formed on part or throughout the surface of the substrate.

Regarding Claim 27.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses the substrate and protrusion (lens) comprise different transparent materials.

Regarding Claim 28.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses the reflective layer is made of aluminum (column 5, rows 42-56).

Regarding Claim 29.

In addition to Matsuda et al and Moon as disclosed above, Matsuda et al discloses a plurality of light reflective layers (the next pixel over will have a another light reflective layer) disposed on a surface of the protrusion (412,512), a plurality of light shielding layers (404, the next pixel over will have another light shielding layer, thus there is a plurality of light shielding layers), wherein each light shielding layer is disposed on a surface of the reflective layer (421) opposite to at least one protrusion (412,512). Moon discloses a plurality of color filters (under regarding claim 20).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUCY P. CHIEN whose telephone number is (571)272-8579. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms can be reached on (571)272-1787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2871

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Lucy P Chien
Examiner
Art Unit 2871

/David Nelms/
Supervisory Patent Examiner, Art Unit 2871